

1 Justs N. Karlsons, No. 042899  
Matthew J. Kemner, No. 188124  
2 David M. Rice, No. 131064  
Jonathan Yank, No. 215495  
3 **CARROLL, BURDICK & McDONOUGH LLP**  
Attorneys at Law  
4 44 Montgomery Street, Suite 400  
San Francisco, CA 94104  
5 Telephone: 415.989.5900  
Facsimile: 415.989.0932  
6 Email: jkarlsons@cbmlaw.com  
mkemner@cbmlaw.com  
7 drice@cbmlaw.com  
jyank@cbmlaw.com  
8

9 Attorneys for Specially Appearing Defendant  
DAIMLER AG (formerly known as DaimlerChrysler AG)

10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN FRANCISCO DIVISION

13 SHELLEY P. ROBINSON, et al.,  
14 Plaintiffs,  
15 v.  
16 DAIMLERCHRYSLER AG, et al.,  
17 Defendants.  
18

No. 3:07cv03258-SC

**SPECIALY APPEARING  
DEFENDANT DAIMLER AG'S  
NOTICE OF RENEWED MOTION AND  
RENEWED MOTION TO DISMISS  
FOR LACK OF PERSONAL  
JURISDICTION**

19 Date: March 7, 2008  
Time: 10:00 a.m.  
Courtroom: 1  
Judge: Hon. Samuel Conti

20 Complaint Filed: 5/11/07  
21 Trial Date: 1/12/09

22 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

23 PLEASE TAKE NOTICE THAT on March 7, 2008 at 10:00 a.m. or as soon  
24 thereafter as the matter may be heard in the courtroom of the Honorable Samuel Conti,  
25 located at 450 Golden Gate Avenue, Courtroom 1, Seventeenth Floor, San Francisco,  
26 California 94102, Specially Appearing Defendant Daimler AG (formerly known as  
27 DaimlerChrysler AG) will and hereby does move this Court for an Order dismissing it  
28

1 from this action pursuant to Federal Rule of Civil Procedure Rule 12(b)(2).<sup>1</sup> Said  
 2 renewed motion will be made on the ground that the Court lacks power to exercise  
 3 personal jurisdiction over Specially Appearing Defendant Daimler AG, as Daimler AG  
 4 does not have the requisite minimum contacts with the State of California to support such  
 5 jurisdiction and the exercise of personal jurisdiction over Daimler AG would be  
 6 constitutionally unreasonable.

7 This renewed motion is brought pursuant to Rule 12(b)(2) of the Federal Rules  
 8 of Civil Procedure and is based upon this Notice of Renewed Motion and Renewed  
 9 Motion, the accompanying Memorandum of Points and Authorities, the Declarations of  
 10 Paul Hecht, Micki S. Singer and Jonathan Yank (Docket Nos. 12, 13 & 14), the pleadings  
 11 and papers filed herein, and upon such other matters as may be presented to the Court at  
 12 the time of hearing.

13 Dated: January 29, 2008 Respectfully submitted,

14 CARROLL, BURDICK & McDONOUGH LLP

15  
 16 By \_\_\_\_\_/s/

17 Matthew J. Kemner  
 18 Attorneys for Specially Appearing Defendant  
 19 DAIMLER AG (formerly known as  
 20 DaimlerChrysler AG)  
 21  
 22  
 23  
 24  
 25

26 <sup>1</sup> In the alternative, pursuant to N.D. Cal. Local R. 7-9, Daimler AG seeks leave to file  
 27 a motion for reconsideration of its original Motion to Dismiss for Lack of Personal  
 28 Jurisdiction (Docket No. 17), and respectfully submits that its alternative motion for  
 reconsideration should be granted for the reasons stated in the supporting documents  
 referred to above.